BARNES & THORNBURG LLP

11 South Meridian Street
Indianapolis, Indiana 46204
(317) 236-1313
(317) 231-7433 Fax

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Customer No.	23643	}
Group:	3761	}
Confirmation No.:	4275	}
Application No.:	10/664,535	}
Invention:	VACUUM THERAPY AND CLEANSING DRESSING FOR WOUNDS	} **Electronically Submitted: November 5, 2008**
Inventor:	Jeffrey S. Lockwood et al.	}
Filed:	September 19, 2003	}
Attorney Docket:	7175-73441	}
Examiner:	Bogart, Michael G.	}

<u>RESPONSE TO NOTICE OF NON-COMPLIANT APPEAL BRIEF</u>

Mail Stop Appeal Brief - Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Notification of Non-Compliant Appeal Brief dated October 29, 2008, please consider the amended STATUS OF CLAIMS section provided on page 2 below. Also, please consider the Remarks that begin on page 3 of this paper.

STATUS OF CLAIMS

Claims 32-35, 38, and 40 are pending in this application. Claims 1-31, 36-37, and 39 were previously canceled. Claims 32, 38, and 40 are rejected. Claims 33-35 are objected to. Each of claims 32, 38, and 40 is appealed.

A copy of claims 32, 38, and 40 currently under appeal is attached hereto in an Appendix.
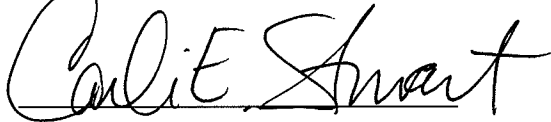
REMARKS

Pursuant to a telephone conversation on November 5, 2008 with Mr. Reginald Tyson, Patent Appeals Specialist, Appellants are filing the corrected STATUS OF CLAIMS section of the Appeal Brief originally filed on October 15, 2008. The corrected STATUS OF CLAIMS section on page 2 above now properly cites the status of canceled claims 1-31, 36-37, and 39.

Appellants hereby authorize the Commissioner to charge any fees that may be due in connection with this Response to Deposit Account No. 10-0435, with reference to our attorney docket number 7175-73441.

Respectfully submitted,

BARNES & THORNBURG LLP

Carli E. Stewart
Registration No. 51,058
Barnes & Thornburg LLP
11 South Meridian Street
Indianapolis, Indiana 46204-3535
Telephone: (317) 261-7216
Fax: (317) 231-7433